REMARKS

The Examiner has rejected all of the outstanding claims under 35 U.S.C. §103 as being unpatentable over MITSUME et al. in view of HIROI et al. In view of the following remarks, applicants respectfully traverse.

With the present amendment, claims 1 and 7 will have been amended and claims 2, 3, 6, 8, and 9 will have been canceled. The amendments to the claims do not add any prohibited new matter and are supported by the specification, *inter alia*, at pages 10 and 12.

Neither of the applied references teach or suggest applying a specific density difference to a reference density of an image, thereby erasing repeated patterns in the image. For example, HIROI et al. do not teach erasing repeated patterns in an image. In fact, the repeating pattern of HIROI et al. appears to be a plurality of chips of the same type that are arranged on a semiconductor wafer, or the like. Thus, HIROI et al. only identify defects without using any type of erasing. Of course, chips cannot be erased. As the Examiner acknowledges, MITSUME et al. do not supply the deficiencies of HIROI et al.

The Examiner argues that columns 12 and 13 disclose the claimed limitation. However, it is believed that column 12 explains how HIROI et al. determine a minimum difference value (other than a difference of 0) as a defect candidate. *See* lines 21 - 26. Subsequently, mismatch degrees are obtained from the defect candidate to determine whether the candidate is a true defect. Only a defect candidate having a mismatch degree larger than a value (obtained by adding a threshold to a mean value of the mismatch degrees) is determined to be a true defect. No erasing of images is discussed.

In contrast, the present invention achieves a pattern erased image by adding the specific density to a reference density. As shown in Fig. 4B, defects are easily identified in the pattern erased image. Moreover, the present invention enables distinguishing between white defects and black defects, as discussed on pages 10, line 7 through page 11, line 15 of the specification.

Consequently, it is believed that the Examiner's proposed combination of MITSUME et al. and HIROI et al. does not teach all of the claim limitations of independent claims 1 and 7.

Dependent claims 5 and 10 - 12 are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations. For example, claims 5 and 10 recite use of the mean of the density values. Although not specifically, stated, applicants' understanding is that the examiner is relying on col. 12, lines 49 - 50 to support the rejection (the rejection refers to the entire column). It is submitted that the mean disclosed at lines 49 - 50 is not a mean of the density differences. Accordingly, applicants respectfully request reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

Although the present application is subject to a Final Office Action, it is submitted than entry of the present paper is proper. That is, it is believed that the amendments to the claims present no new issues requiring further consideration or search.

The above amendments have been presented merely for the purpose of clarification, and not to overcome the applied prior art. Accordingly, no estoppel is deemed to result from any of the present amendments.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Noriaki YUKAWA et al.

Will E. Lydd Reg. No. 41,568

Bruce H. Bernstein
Reg. No. 29,027

July 14, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191